

REMARKS

Claims 1-13 were pending when last examined, all of which stand rejected. All the claims are amended.

Claim Rejections – 35 USC §112

Claims 5 and 9 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “active pattern” in Claim 5 has been deleted. In Claim 9, the phrase “overlap each other” has been rephrased by “overlap” to indicate that the CVD insulating film is on the pixel electrode, or vice versa.

Claim Rejections – 35 USC § 103

Claims 1-4 and 10-13 are rejected under 35 USC § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0043932 to Kawashima (“Kawashima”) in view of U.S. Published Patent Application No. 2005/0038276 to Laxman et al (“Laxman”).

Independent Claims 1 and 10 are patentable over Kawashima and Laxman at least because they recite a “...first electrode electrically coupled to the thin film transistor” As described in the Application, for example in reference to FIG. 1, the invention has a first electrode (126) that is coupled to the drain region 105D of the thin film transistor that is located underneath the first electrode. This electrical connection allows the first electrode (126) to be turned on/off independently of other neighboring electrodes, making the device an active matrix display. In contrast, Kawashima teaches a passive electroluminescence device with no thin film transistor to control the individual pixel electrodes. Thus, the devices of Claims 1 and 10 are distinguishable from the device disclosed in Kawashima.

Applicants respectfully submit that the rejection based on Kawashima and Laxman is improper because there is no motivation to combine the two references. While Laxman discloses a CVD process for producing low-dielectric constant SiOC thin films, there is no motivation in either reference to use such low-dielectric constant thin film in an organic electroluminescent device. Unless a person knew to look for a low-dielectric constant thin film to improve the organic electroluminescent device, s/he would not have known to combine Laxman with

Kawashima. The discovery that a low-dielectric-constant thin film improves the claimed device is part of the novelty of the invention.

Claims 2-4 depend from Claim 1 and are therefore patentable over Kawashima and Laxman for at least the same reasons as Claim 1. Likewise, Claims 11-13 depend from Claim 10 and are patentable over Kawashima and Laxman for at least the same reasons as Claim 10.

Claims 5-9 are rejected under 35 USC 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0036462 to Hirano ("Hirano") in view of Laxman.

Claim 5 is patentable over Hirano and Laxman at least because it recites, "... an organic EL layer formed on a base and a sidewall of the opening portion without filling the opening portion" As described in the subject Application, for example in reference to FIG. 1, the organic EL layer (132) is coated on the opening portion substantially conformally, so that the organic EL layer (132) has a shape that is similar to the shape of the opening portion. In contrast, Hirano's organic layer (element 13 in Hirano's FIG. 1) is a flat layer with no sidewall or base. Further, Hirano's organic layer fills the opening in the insulation layer 12. Hence, the device of Claim 5 is distinguishable from Hirano's device.

Applicants respectfully submit that the rejection based on Hirano and Laxman is improper because there is no motivation to combine the two references. As in the above case of Kawashima and Laxman, there is no motivation to combine Laxman's process for producing low-dielectric constant SiOC thin films with Hirano's display apparatus. Unless a person knew to look for a low-dielectric constant thin film to improve the organic electroluminescent device, s/he would not have known to combine Laxman with Hirano. The discovery that a low-dielectric-constant thin film improves the claimed device is part of the novelty of the invention.

Claims 6-9 depend from Claim 5 and are therefore patentable over Hirano and Laxman for the same reasons as Claim 5.

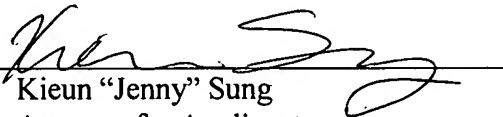
Conclusion

Based on the foregoing reasons, Claims 1-13 are now in condition for allowance. Please telephone the undersigned attorney at (408) 392-9250 if there are any questions.

Respectfully submitted,

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